

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Nora Chanko	Team: Squad #3	CCRB Case #: 201702803	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 04/11/2017 6:45 AM	Location of Incident: § 87(2)(b) § 87(2)(b)	Precinct: 28	18 Mo. SOL 10/11/2018	EO SOL 10/11/2018	
Date/Time CV Reported Tue, 04/11/2017 12:10 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 04/11/2017 12:10 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POF Sairis Santana	14704	956235	028 PCT
2. POM Austin Slamowitz	15865	962109	028 PCT
3. POM Lawrence Lechmanski	29419	925592	028 PCT
4. POM Suthom Ungcharoen	26224	946349	028 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Jeffrey Hunold	08378	936788	028 PCT
2. POM Emre Guven	19460	959679	028 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Sairis Santana	Abuse: Police Officer Sairis Santana refused to provide her name and shield number to § 87(2)(b)	§ 87(2)(b)
B.POM Suthom Ungcharoen	Abuse: Police Officer Suthom Ungcharoen refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
C.POM Austin Slamowitz	Abuse: Police Officer Austin Slamowitz refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
D.POM Lawrence Lechmanski	Abuse: Police Officer Lawrence Lechmanski refused to provide his name and shield number to § 87(2)(b)	§ 87(2)(b)
E.POM Lawrence Lechmanski	Off. Language: Police Officer Lawrence Lechmanski made remarks to § 87(2)(b) based upon the perceived mental health of § 87(2)(b)	§ 87(2)(b)

Case Summary

§ 87(2)(b) filed this complaint on the CCRB's website on April 11, 2017. § 87(2)(b) also subsequently filed the complaint with IAB via phone, generating IAB Log #2017-14543.

On April 11, 2017, at approximately 6:45 a.m., § 87(2)(b) and § 87(2)(b) were on the § 87(2)(b) of § 87(2)(b) in Manhattan, which is a single room occupancy building. § 87(2)(b) called 911 to report that § 87(2)(b) was threatening him with a broom. PO Sairis Santana, PO Austin Slamowitz, PO Lawrence Lechmanski, PO Jeffrey Hunold, PO Emre Guven, and PO Suthom Ungcharoen, all of the 28th Precinct, arrived and entered the common area. PO Santana spoke to § 87(2)(b) and then to § 87(2)(b). During this conversation, § 87(2)(b) asked for the officers' names and shield numbers, and alleged that PO Santana, PO Ungcharoen, PO Slamowitz, and PO Lechmanski refused to provide their information (**Allegations A, B, C, and D**). PO Lechmanski allegedly made remarks based upon the perceived mental health of § 87(2)(b) (**Allegation E**). § 87(2)(g)

No arrests or summonses resulted from this incident.

Video from the entrance and lobby of § 87(2)(b) was obtained, but does not capture any allegations. A SnagIt clip of officers entering the building has been placed below and can be found at 01 Board Review. The SnagIt clips of the officers exiting were not referenced in this report, and thus were not placed below, but can be found at 02 and 03 Board Review. The transcriptions of all these clips can be found at 04 Board Review.



SnagIt 1.mp4

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation because he feared for his life during the incident and wanted the officers to be investigated.
- § 87(2)(b)
- On October 17, 2017, a FOIL request confirmed that neither § 87(2)(b) nor § 87(2)(b) had filed a Notice of Claim regarding this incident (05 Board Review).

Civilian and Officer CCRB Histories

- § 87(2)(b)
- PO Santana has been a member of the NYPD for three years and has not been a subject officer in any previous CCRB complaints.
- PO Slamowitz has been a member of the NYPD for one year and has not been a subject officer in any previous CCRB complaints.
- PO Ungcharoen has been a member of the NYPD for nine years and has been a subject officer in three prior CCRB cases resulting in four allegations pleaded against him, none of which were substantiated, recommended for other misconduct, § 87(2)(g).
- PO Lechmanski has been a member of the NYPD for 17 years and has been a subject officer in two prior CCRB cases resulting in two allegations pleaded against him, neither of which was substantiated, recommended for other misconduct, or § 87(2)(g).

Findings and Recommendations

Allegations Not Pleaded

- Abuse of Authority – Refusal to provide name and shield number: § 87(2)(b) stated that one female officer and three male officers were present during this interaction. Based on § 87(2)(b)'s descriptions, the officers' statements, the Event documents, and the video footage, PO Santana was identified as the female officer, and the male officers were identified as PO Slamowitz, PO Lechmanski, and PO Ungcharoen (08, 09, 10, 11, 12, 13, 14, 15, and 01 Board Review). Although PO Hunold and PO Guven were also identified as officers present based on the above evidence, § 87(2)(b) did not describe any officers who matched their descriptions and did not state that he interacted with or requested the name and shield numbers of any additional officers. Therefore, no refusal to provide name and shield allegations were pleaded against PO Guven or PO Hunold.
- Abuse of Authority – Threat of arrest: § 87(2)(b) alleged that three officers threatened to arrest him and § 87(2)(b) (20 Board Review). § 87(2)(b) did not allege this, and § 87(2)(b) did not provide a verified statement. Therefore, no threat of arrest allegation was pleaded.

Allegation A – Abuse of Authority: Police Officer Sairis Santana refused to provide her name and shield number to § 87(2)(b)

Allegation B – Abuse of Authority: Police Officer Suthom Ungcharoen refused to provide his name and shield number to § 87(2)(b)

Allegation C – Abuse of Authority: Police Officer Austin Slamowitz refused to provide his name and shield number to § 87(2)(b)

Allegation D – Abuse of Authority: Police Officer Lawrence Lechmanski refused to provide his name and shield number to § 87(2)(b)

Allegation E – Offensive Language: Police Officer Lawrence Lechmanski made remarks to § 87(2)(b) based upon the perceived mental health of § 87(2)(b)

§ 87(2)(b) stated that he heard a knock on his door and when he opened the door, he saw PO Santana in front of the door, with PO Ungcharoen and PO Slamowitz on either side of her and PO Lechmanski three to four feet away (08 Board Review). PO Santana explained that § 87(2)(b) had complained that § 87(2)(b) attacked him with a broomstick in the kitchen. § 87(2)(b) told the officers that he was mopping, and believed that § 87(2)(b) was doing this because of their prior issues. § 87(2)(b) said, "Can I have your names and badge numbers for the Internal Affairs Division, please?" but no one provided their information. § 87(2)(b) stated that he made the request twice to all of the officers and specifically to PO Lechmanski. PO Lechmanski became agitated, and, in response, said something like, "I'm sick of coming to this EDP building." § 87(2)(b) said that PO Lechmanski said "EDPs," and possibly "crazies," and he was offended by these statements.

§ 87(2)(b) consistently stated that the officers present refused to provide their information, and that PO Lechmanski made statements about "EDPs" (18, and 19 Board Review).

PO Santana said that she first spoke to § 87(2)(b) and then went to § 87(2)(b)'s door with PO Slamowitz and other officers (09 Board Review). PO Santana stated that towards the end of the incident, it "seemed like § 87(2)(b) wanted to look at our information," and PO Santana said

she read out her name and shield number. § 87(2)(b) said, “Let me write,” and turned, and PO Santana assumed he was going to get a pen. PO Santana said § 87(2)(b) said something along the lines of “I’ll take you guys’ information.” § 87(2)(b) only made this request once. PO Santana said she gave him a chance to look at her name plate and was there for a few seconds, but later said that she turned around and left the area immediately after she verbally stated her name and shield number. PO Santana did not know if § 87(2)(b) had a pen, but he did not indicate that he did not have her information in any way. PO Santana did not recall hearing any officer provide or refuse to provide their information. PO Santana did not recall any officer make the statement, “I’m sick of coming to this EDP building,” or use the term “EDPs.” PO Santana denied that any officer referred to anyone as “crazies.”

PO Ungcharoen stated that he stood by a door in an open space while PO Santana and PO Slamowitz approached § 87(2)(b)’s door (10 Board Review). PO Santana and § 87(2)(b) then spoke in the hallway, and PO Ungcharoen believed that during this time § 87(2)(b) asked for the officers’ names and shield numbers. PO Ungcharoen did not remember whether he provided his information, but also stated that he never spoke or said anything to either § 87(2)(b) or § 87(2)(b). PO Ungcharoen did not remember if any officer provided their information, and did not remember if he heard PO Santana provide her information. PO Ungcharoen saw § 87(2)(b) write something down on a notepad and thought it was the officers’ names and shield numbers, but did not provide any reasons why he thought this other than that § 87(2)(b) was writing. PO Ungcharoen was familiar with the location, which he described as a shelter for people with mental disorders, and said that EDP cases stemming from the building are common. PO Ungcharoen did not remember anyone make the alleged statement or use the word “crazies,” and said that no one referenced EDPs. PO Ungcharoen was unsure which officers spoke to § 87(2)(b) and § 87(2)(b) during the incident, and initially stated that he did not believe that PO Slamowitz spoke to them, but then said he may have, and was unsure.

PO Lechmanski did not remember the incident, despite having memo book entries regarding it, and being shown video that depicts him entering the building (11 Board Review). PO Lechmanski did not recall any civilian ask for his name and shield number, and denied refusing to provide it. PO Lechmanski, who has been assigned to the precinct of occurrence for at least 12 years, according to CTS, said that he has responded to the location before, but said there is no chronic condition there and it is a typical apartment building. PO Lechmanski did not recall whether he made the statement, “I’m sick of coming to this EDP building,” any statements about EDPs, or used the word “crazies,” during the incident. PO Lechmanski did not recall whether anyone made statements about coming to an “EDP building.”

PO Slamowitz, who was not familiar with the incident location, said that he approached § 87(2)(b)’s door and was the officer who primarily spoke to him (13 Board Review). He denied being asked for his information but did not say that he provided his information or deny that § 87(2)(b) asked for the information of the other officers present. PO Slamowitz said that to his knowledge, no officer provided their information to § 87(2)(b). To PO Slamowitz’s knowledge, no one made the alleged offensive statement, or used the word “crazies,” and he did not hear any officer reference § 87(2)(b) as being emotionally disturbed.

PO Hunold, who was partnered with PO Lechmanski, initially described the location as an “EDP building,” and said he had responded there multiple times (12 Board Review). PO Hunold did not recall anyone asking for the officers’ information and denied that anyone refused to provide their information. PO Hunold denied that anyone made the alleged statement or used the word “crazies.” PO Hunold did not recall specifically anyone saying “EDP,” but said, “It is an EDP building, and it is something we would say.” PO Hunold was asked what he was referring to by saying “it” and said, “EDP.”

PO Guven did not recall the incident and was not familiar with the incident location; however, he said that no one asked for the officers’ name and shield numbers, and did not recall anyone refuse to provide their information while he was present (14 Board Review). PO Guven did not recall anyone make the alleged statement or any statements about EDPs.

Patrol Guide Procedure 203-09 requires that officers courteously and clearly state their name and shield number or otherwise provide them when asked, and allow the person ample time to note the information (17 Board Review). Patrol Guide Procedure 203-10 prohibits officers from making discourteous or disrespectful remarks based on a person’s disability (21 Board Review).

§ 87(2)(b), § 87(2)(g)

[REDACTED]

§ 87(2)(b), § 87(2)(g)

[REDACTED]

§ 87(2)(b), § 87(2)(g)

[REDACTED]

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Investigator: _____

Signature _____ Print _____ Date _____

Squad Leader: _____
 Title/Signature Print Date

Reviewer: _____

Title/Signature Print Date